



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

September 13, 2012

BRADLEY SCOTT KNIPPA, TREASURER
TED CRUZ FOR SENATE
815 A BRAZOS PMB 550
AUSTIN, TX 78701

Response Due Date
10/18/2012

IDENTIFICATION NUMBER: C00492785

REFERENCE: JULY QUARTERLY REPORT (05/10/2012 - 06/30/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Senate Public Records Office by the response date noted above. Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 5 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). The Commission notes your additional explanation regarding the committee's corrective action taken for all of these contributions.

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,500 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. § 441a(a) and (f); 11 CFR §§ 110.1(b), (e) and (k), and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

Please be reminded that all refunds, redesignations and reattributions must be

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made within 60 days of receipt of the contribution. To date, one or more of the apparent excessive contributions have not been refunded, redesignated, or reattributed.

For reattributions, the funds can be retained if, within 60 days of receipt, the excessive amount was properly reattributed to another person. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor who signed the check an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount was properly designated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) the committee redesignates by presumption the excessive portion of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/ or letters reattributing or redesignating the contributions in

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question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate and/or reattribute the excessive amount will be taken into consideration.

2. Your report fails to provide proper election designations for contributions disclosed on Schedule A supporting Line(s) 11(a)(i) and 11(c). Authorized committees should indicate the election for which the contribution was designated. If no election is designated, the contribution is applied to the next election for the federal office the candidate is seeking after the contribution date. Please be advised that incorrect election designations may result in excessive or impermissible contributions. Please amend your report to clarify election designations "O, 2010." (11 CFR §§ 110.1(b) and 110.2(b))

3. Schedule A of your report discloses contributions through a conduit but fails to disclose the original earmarked contributions. Please be advised that when a committee receives an earmarked contribution(s) through an allowable conduit, each individual contribution should be itemized when the individual's total contributions to your committee aggregate over \$200 per calendar year. This itemization must include the full name, address, occupation, and employer of the individual contributor along with the date the contribution was received by the conduit. Any un-itemized contributions from individuals received through the conduit should be included in your totals on Line 11(a)(ii) of the Detailed Summary Page. Contributions from political party committees, PACs, authorized committees, or any political committee must be itemized, regardless of the amount contributed.

In addition, the total contribution(s) received through the conduit should be itemized on Schedule A as a memo entry. The conduit's full name and address (and occupation and employer if the conduit is an individual) must also be provided, along with the date the contribution(s) was received by your committee and the total amount of earmarked contributions received from the conduit. Please amend your report to include the missing information. (11 CFR § 110.6(c)(2))

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4. Schedule B supporting Line 20(a) discloses a refund of a contribution made to Donald Boyd with no election designation. However, it appears that this contribution was not previously reported by your committee. Please amend the appropriate report(s) to disclose the original contribution or provide clarifying information. (2 U.S.C. § 434(b) and 11 CFR § 104.3(a) & (b))

5. Schedule C of your report discloses loans from the candidate where the aggregate amount outstanding in excess of \$250,000.00 was not repaid within 20 days after the primary election.

Outstanding loan amounts from the personal funds of the candidate aggregating in excess of \$250,000.00 and designated to the primary election must be repaid within 20 days after that election. If loans are not repaid by the twenty-day deadline, the committee must treat the portion of the aggregate outstanding balance that exceeds \$250,000.00 as a contribution from the candidate, which cannot be repaid. (11 CFR § 116.11)

If any of the apparent loans in question were incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. Otherwise, you must amend your report to show the outstanding balance of candidate loans for the primary election exceeding \$250,000.00 as a contribution from the candidate.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1166.

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Sincerely,

A handwritten signature in black ink that reads "Bradley Matheson". The signature is written in a cursive style with a large, looped initial 'B'.

Bradley Matheson
Senior Campaign Finance Analyst
Reports Analysis Division

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**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)****Excessive Contributions from Individuals**

Contributor Name	Date	Amount	Election
Allen, Melissa	3/23/12	\$5,000.00	P, 2012
Allen, Melissa	3/30/12	-\$2,500.00	P, 2012
Allen, Melissa	5/10/12	\$2,500.00	P, 2012
Battle, Robert M.	3/12/12	\$500.00	O, 2012
Battle, Robert M.	3/12/12	\$500.00	O, 2012
Battle, Robert M.	3/24/12	\$500.00	O, 2012
Battle, Robert M.	4/10/12	\$500.00	O, 2012
Battle, Robert M.	5/8/12	\$500.00	O, 2012
Battle, Robert M.	5/30/12	\$500.00	O, 2012
Battle, Robert M.	6/24/12	\$500.00	O, 2012
Beal, Barry A., Jr.	6/19/12	\$5,000.00	O, 2012
Beal, Carlton, Jr.	6/19/12	\$5,000.00	O, 2012
Beal, Kelly S.	6/19/12	\$5,000.00	O, 2012
Beal, Spencer Evans	3/13/12	\$1,000.00	O, 2012
Beal, Spencer Evans	6/19/12	\$5,000.00	O, 2012
Buchwald, James P.	3/30/12	\$1,500.00	O, 2012
Buchwald, James P.	4/10/12	\$1,000.00	O, 2012
Buchwald, James P.	6/30/12	\$1,000.00	O, 2012
Burton, Konni	9/22/11	\$1,000.00	P, 2012
Burton, Konni	4/10/12	\$500.00	P, 2012
Burton, Konni	5/21/12	\$1,000.00	P, 2012
Burton, Konni	5/22/12	\$500.00	P, 2012
Cammack, Robert	6/29/12	\$5,000.00	O, 2012
Carter, Will	7/17/11	\$100.00	P, 2012
Carter, Will	8/17/11	\$100.00	P, 2012
Carter, Will	9/17/11	\$100.00	P, 2012
Carter, Will	10/17/11	\$100.00	P, 2012
Carter, Will	11/17/11	\$100.00	P, 2012
Carter, Will	12/17/11	\$100.00	P, 2012
Carter, Will	12/30/11	\$250.00	P, 2012

**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)**

Contributor Name	Date	Amount	Election
Carter, Will	1/17/12	\$100.00	P, 2012
Carter, Will	2/17/12	\$100.00	P, 2012
Carter, Will	3/17/12	\$100.00	P, 2012
Carter, Will	3/21/12	\$500.00	P, 2012
Carter, Will	4/16/12	\$250.00	P, 2012
Carter, Will	4/17/12	\$100.00	P, 2012
Carter, Will	5/17/12	\$100.00	P, 2012
Carter, Will	5/21/12	\$500.00	P, 2012
Cist, Dorothea	6/5/12	\$2,000.00	O, 2012
Cist, Dorothea	6/8/12	\$2,000.00	O, 2012
Delacourt, John	9/30/11	\$1,000.00	O, 2012
Delacourt, John	3/23/12	\$1,500.00	O, 2012
Delacourt, John	6/29/12	\$2,500.00	O, 2012
Dorfman, Samuel Grant	6/12/12	\$1,000.00	O, 2012
Dorfman, Samuel Grant	6/30/12	\$2,500.00	O, 2012
Downey, James B.	2/2/12	\$250.00	P, 2012
Downey, James B.	2/10/12	\$300.00	P, 2012
Downey, James B.	3/1/12	\$100.00	P, 2012
Downey, James B.	3/13/12	\$200.00	P, 2012
Downey, James B.	4/10/12	\$250.00	P, 2012
Downey, James B.	5/3/12	\$150.00	P, 2012
Downey, James B.	5/4/12	\$250.00	P, 2012
Downey, James B.	5/15/12	\$250.00	P, 2012
Downey, James B.	5/21/12	\$500.00	P, 2012
Downey, James B.	6/30/12	\$300.00	P, 2012
Goyanes, Everardo	12/2/11	\$2,500.00	O, 2012
Goyanes, Everardo	6/13/12	\$2,500.00	O, 2012
Goyanes, Everardo	6/13/12	\$2,500.00	O, 2012
Graham, Jan	5/9/12	\$7,200.00	O, 2012
Graham, Jan	5/15/12	\$2,500.00	O, 2012
Hamilton, Al	5/31/12	\$5,000.00	O, 2012
Hargrove, William O., Jr.	10/25/11	\$1,000.00	P, 2012
Hargrove, William O., Jr.	12/31/11	\$1,000.00	P, 2012

**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)**

Contributor Name	Date	Amount	Election
Hargrove, William O., Jr.	6/30/12	\$1,000.00	P, 2012
Herd, Tevis	6/23/11	\$1,000.00	P, 2012
Herd, Tevis	11/17/11	\$500.00	P, 2012
Herd, Tevis	2/6/12	\$1,000.00	P, 2012
Herd, Tevis	6/30/12	\$500.00	P, 2012
Holmes, William L.	6/5/12	\$5,000.00	O, 2012
Holt, Aubrey	5/9/12	\$5,000.00	O, 2012
Holt, Aubrey	5/15/12	\$2,500.00	O, 2012
Holt, Carolyn	5/9/12	\$5,000.00	O, 2012
Holt, Carolyn	5/15/12	\$2,500.00	O, 2012
Hughes, B. Wayne, Jr.	6/8/12	\$5,000.00	O, 2012
Johnsey, Ronald Grant	6/7/12	\$2,500.00	O, 2012
Johnsey, Ronald Grant	6/15/12	\$100.00	O, 2012
Jorgenson, Jack O.	6/30/12	\$5,000.00	O, 2012
Lutz, James D.	6/4/12	\$5,000.00	O, 2012
McNair, R. Cary, Jr.	6/30/12	\$5,000.00	O, 2012
Merrick, Garth	11/11/11	\$5,000.00	P, 2012
Merrick, Garth	11/11/11	-\$2,500.00	P, 2012
Merrick, Garth	5/21/12	\$250.00	P, 2012
Moncrief, Charles B.	6/30/12	\$5,000.00	O, 2012
Mossy, Wiley	3/12/12	\$2,500.00	O, 2012
Mossy, Wiley	6/13/12	\$2,500.00	O, 2012
Nelson, Peter C.	1/6/12	\$100.00	O, 2012
Nelson, Peter C.	6/19/12	\$5,000.00	O, 2012
Newton, Jonathan	6/19/12	\$5,000.00	O, 2012
O'Bryan, Robert	9/30/11	\$250.00	P, 2012

**Excessive, Prohibited, and Impermissible Contributions
Ted Cruz for Senate (C00492785)**

Contributor Name	Date	Amount	Election
O'Bryan, Robert K.	12/6/11	\$1,000.00	P, 2012
O'Bryan, Robert K.	12/22/11	\$250.00	P, 2012
O'Bryan, Robert K.	3/31/12	\$500.00	P, 2012
O'Bryan, Robert K.	6/30/12	\$1,000.00	P, 2012
Rogers, Ryan T.	6/19/12	\$5,000.00	O, 2012
Smith, Jim R.	6/28/12	\$5,000.00	O, 2012
Sparks, Kevin D.	11/10/11	\$500.00	P, 2012
Sparks, Kevin D.	12/29/11	\$2,000.00	P, 2012
Sparks, Kevin D.	5/22/12	\$1,000.00	P, 2012
Stallings, Kyle	3/12/12	\$2,500.00	O, 2012
Stallings, Kyle	6/25/12	\$5,000.00	O, 2012
Stoneburner, Richard	6/22/12	\$5,000.00	O, 2012
Sweet, Stephen G.	1/23/12	\$2,500.00	P, 2012
Sweet, Stephen G.	6/30/12	\$2,500.00	P, 2012
Teinert, Lynne J.	6/19/12	\$5,000.00	O, 2012
Weingrad, Eileen	6/15/12	\$4,000.00	O, 2012
Wied, Keith	6/29/12	\$5,000.00	O, 2012
Wiesenfeld, Stephen	5/8/12	\$2,000.00	O, 2012
Wiesenfeld, Stephen	5/15/12	\$2,000.00	O, 2012
Wilbourn, Jim	6/5/12	\$4,000.00	O, 2012
Wilkirson, Stacy S.	12/2/11	\$25.00	O, 2012
Wilkirson, Stacy S.	6/7/12	\$2,500.00	O, 2012
Wilmeth, Steven L.	9/15/11	\$1,000.00	O, 2012
Wilmeth, Steven L.	6/30/12	\$4,000.00	O, 2012
Wise, Jim P.	6/8/12	\$5,000.00	O, 2012
Wright, William Braxton	5/22/12	\$5,000.00	P, 2012